19 47 **File No.** Drugs II/47

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Legal **DEPARTMENT**

B **BRANCH**

**Subject:—**

Rules and Notifications under the Dangerous Drugs Act, 1929.

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# C O N T E N T S.

Legal Department File No. Drugs II/47.


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| | | **The Drugs Act, 1940** | |
| 1. | UR to GD No. 2905 dated 25-3-47 | Section 1(3) - Notification under- | 1-4. |
| 2. | UR to H & LGD No. 6776 dated 1-7-47. | Rule 2 - of the Bombay Drug Rules, 1946- Notification under- | 5-8. |
| 3. | GR & CMH & LGD No. 4121/38 dated 7-7-47. | Empreement of Drugs Rules - Notification for - | 9-12. |


NVI. 15/a

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NOTIFICATION.

General Department.
Bombay Castle, 1947.

Drugs Act, 1940.

I. No. 4121/33(1) :- In Exercise of the powers ~~compered~~ conferred by sub-section (3) of section 1 of the Drugs Act., 1940 (XXIII of 1940), the Government of Bombay is pleased to appoint the 1st April 1947 as the date from which chapter IV of the said Act, except sub-clause (iii) of clause (a) of section 18, shall take effect in Province of Bombay.

Drugs Act, 1940

II. No. 4121/33(2) :- In exercise of the powers ~~xx~~ conferred by section 18 of the Drugs Act, 1940 (XXIII of 1940), the Government of Bombay is pleased to fix the 1st April 1947 as the date for the purposes of sub-clauses (i), (ii), (iv) and (v) of clause (a) and clauses (b) and (c) of the said section 18.

Bombay Drugs Rules, 1946.

III. No. 4121/33(3) :- In pursuance of sub-rule (3) of rule 1 of the Bombay Drugs Rules, 1946, the Government of Bombay is pleased to appoint the 1st April 1947 as the date on which the said rules shall come into force.

By order of the Governor of Bombay,

Secretary to Government.

EVY. 15/5.

Office of the R.L.A.

Subject to the following remarks, the draft notifications I, II and II at page 41, as amended, are in order:-

(a) Draft Notification II:- In view of the fact that under the proposed draft notification I, sub-clause (iii) of clause (a) of section 18 does not operate in the Province of Bombay with effect from 1st April 1947, the Provincial Government may fix under section 18, the 1st April 1948 as the date for the purposes of the said sub-clause (iii) of clause (a), after the Provincial Government has appointed 1st April 1948 as the date from which sub-clause (iii) of clause (a) of section 18 takes effect in the Province of Bombay under section 1(3). Accordingly the expression "and the 1st April 1948... in the Province of Bombay" have been deleted from the proposed draft notification II.

(b) Draft Notification III:- The General Department proposes to bring into force the Bombay Drugs Rules, 1946, with effect from 1st April 1947. It would not be proper and legal to refer to Part III of the Drugs Rules, 1945, in this notification as these rules can be brought into force only by the Central Government under rule 1(3) of the said Rules. The Central Government had decided to bring the Drugs Rules, 1945, into force with effect from 1st April 1947 (vide Government India, Department of Health Notification No. F. 28-10(4)/45 H (1), dated 2nd September 1946). The Central Government has, however, superseded the said notification, and appointed the 1st April 1948 as the date on which Part III of the said Rules shall come into force (cf. Government of India, Department of Health Notification No. F. 18-12/46-D-III, dated 11th February 1947). For this reason, reference to Part III of the Drugs Rules, 1945, has been deleted from the proposed draft notification III.

Sd/- D.V. Vyas.
~~Sd/- R.M.Lal,~~

Remembrancer of Legal Affairs.

U.R. to G.D. No. 2905 dated the 25th March 1947.

BVY. 15/5.

## NOTIFICATION.

Health and Local Government Department.
Bombay Castle, June 1947.

Bombay Drugs Rules, 1946.

No. 4121/33:- In pursuance of the provisions of rule 2 of the Bombay Drugs Rules, 1946, read with sub-rule (1) of rule 59. and rules 69 and 90 of the Drugs Rules, 1945, the Government of Bombay is pleased to appoint the Drugs Controller as the licensing authority for the Province of Bombay for the purposes of Parts VI, VII and VIII of the Drugs Rules, 1945, in their application to the Province of Bombay.

By order of the Governor of Bombay,

Deputy Secretary to Government

EVY. 16/5.

Office of the R.L.A.

A revised draft notification is sent herewith.

2. It will be open to the Drugs Controller with the approval of the Government to delegate under rule 60 his power to sign licenses and such other powers under Part VI of the Rules as he may consider necessary to the Civil Surgeons provided they are under his control. It is not necessary that the delegation should be made by means of a notification. It is sufficient if it is made by an order in writing.

Sd/- ~~P.M.Lal,~~ D.V.Vyas,

Remembrancer of Legal Affairs.

U.R. to H. and L. G. Department, No. 6776, dated the 1st July 1947.

EVY. 16/8.

Drugs Rules.
Enforcement of -

Government of Bombay,
Health and Local Government Department,
Resolution No. 4121/33
Bombay Castle, 7th July 1947.

Letter from the Surgeon General with the Government of Bombay, No. S. 228/B, dated 7th June 1947.

RESOLUTION:- The accompanying notification should be published in the Bombay Government Gazette.

2. Government is pleased to direct that, for the purposes of the administration of the Drugs Rules, the Civil Surgeons should work under the control of the Drugs Controller. Government is also pleased to allow the Drugs Controller to delegate, under rule 60 of the Drugs Rules, his power to sign licenses and such other powers under Part VI of the Rules as he may consider necessary to the Civil Surgeons.

By order of the Governor of Bombay,

K.B. Kamath,
Deputy Secretary to Government.

To

The Surgeon General with the Government of Bombay,
The Drugs Controller for the Province of Bombay,
The Director, Haffkine Institute, Bombay,
All District Magistrates,
All Civil Surgeons,
The Accountant General, Bombay,
The Finance Department,
The Legal Department.

HVY. 15/5.

L.D.H.I. No. 8139
9-7-47.

submitted.

2. There is no copy of the Drugs Rules, 1945. A note has been kept in the Bombay Drugs Rules, 1946.

3. File in Drugs II/47.

Xd/- N.N.N. 9/7 A copy of the Drugs Rules, 1945 (Central) is absolutely necessary. Hand LG Department may be requested to furnish a copy of these rules, if available.
J.G. N.S.
Xd/- S.W.D.
Xd/- S.L.C. 9/7

UR to Hand L.G. Department No. 7089 at 10-7-47.
H & L.G.D.

These papers may be returned to the L.D. with a copy of the Drugs Rules 1945 (~~Central~~ Central).
Xd/- 6/7
Xd/- 17/7/47.

UR to L.D. dated 18-7-47 (with copy of Drugs Rules).

EVI. 15/5.

NOTIFICATION.
Health and Local Government Department,
Bombay Castle, 7th July 1947.

Bombay Drugs Rules, 1946.

No. 4121/33:- In pursuance of the provisions or rule 2 of the Bombay Drugs Rules, 1946, read with sub-rule (1) of rule 59 and rules 69 and 90 of the Drugs rules, 1945, the Government of Bombay is pleased to appoint the Drugs Controller as the licensing authority for the Province of Bombay for the purposes of Parts VI, VII and VIII of the Drugs Rules, 1945, in their application to the Province of Bombay.

By order of the Governor of Bombay,

K.B. KAMATH,

Deputy Secretary to Government.

Submitted with reference to the L.D. note dated 9-7-47.

The copy of the Drugs Rules, 1945 (Central) is received from the H & L.G. Department. It is kept in B Branch file. Now these papers may be filed in Drugs II/47.

Id/- N.N.V. 24/7

EVY. 15/5. J.S. Id/- S.W.D. 23/7 S.A.S. Id/- S.L.C. 24/7